

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

DAVID MICHAEL BRADLEY,)
Petitioner,)
)
)
vs.) Civil Action No. 12-1218
)
)
SUPERINTENDENT DEBRA SAUERS,)
et al.,)
)
Respondents.)

O R D E R

AND NOW, this 29th day of January, 2013, after the petitioner, David Michael Bradley, filed a petition for a writ of habeas corpus (ECF No. 7), and after the respondents filed a motion to dismiss the petition (ECF No. 11), and after a Report and Recommendation was filed by the United States Magistrate Judge (ECF No. 16) granting the parties a period of time after being served with a copy to file written objections thereto, and upon consideration of the objections filed by the petitioner (ECF No. 17), and upon independent review of the petition, the motion and the record, and upon consideration of the Magistrate Judge's Report and Recommendation (ECF No. 16), which is adopted as the opinion of this Court,

IT IS ORDERED that the motion to dismiss the petition submitted on behalf of the respondents (ECF No. 11) is granted and the petition for writ of habeas corpus filed by petitioner is dismissed.

IT IS FURTHER ORDERED that, because reasonable jurists could not conclude that a basis for appeal exists, a certificate of appealability is denied.

IT IS FURTHER ORDERED that, pursuant to Rule 4(a)(1) of the Federal Rules of Appellate Procedure, if the petitioner desires to appeal from this Order, he must do so within thirty (30) days by filing a notice of appeal as provided in Rule 3, Fed. R. App. P.

s/Terrence F. McVerry
United States District Judge

cc: David Michael Bradley
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